GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – PR&RD Department Allegation of irregularities in forming of unauthorised layouts by the realtors in Hindupur Constituency - Disciplinary proceedings against Sri A.Srinivasulu, the then Divisional Panchayat Officer, Penukonda, Ananthapuramu District and present Divisional Panchayat Officer, Nandyal, Kurnool District under Rule 20 of the A.P. Civil Services (CC&A) Rules, 1991 – Article of Charges - Issued.

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PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.IV) DEPARTMENT

G.O.Rt.No. 974 Dated: 26/12/2022

Read the following:-

1. From G.A. (V&E) Dept., V&E Report No.35 (C.No.49/V&E/D2/2016), dated.08.5.2017.
2. G.O.Ms.No. , PR&RD (Vig.IV) Department, Dt: .12.2022.

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ORDER:-

It is proposed to hold an inquiry against Sri A.Srinivasulu, the then Divisional Panchayat Officer, Penukonda, Ananthapuramu District and present Divisional Panchayat Officer, Nandyal, Kurnool District in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I and II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure III and IV).

3. Sri A.Srinivasulu, the then DLPO, Penukonda, Ananthapuramu District and present DLPO, Nandyal, Kurnool District, is directed to submit a Written statement of his defence within 10 days of the receipt of this order.

4. Sri A.Srinivasulu, the then DLPO, Penukonda, Ananthapuramu District and present DLPO, Nandyal, Kurnool District, is informed that an inquiry

will be held only in respect of those articles of charge as are not admitted. He, should, therefore, specifically admit or deny each article of charge.

5. Sri A.Srinivasulu, the then DLPO, Penukonda, Ananthapuramu Dist and present DLPO, Nandyal, Kurnool Dist, is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex parte.

6. Sri A.Srinivasulu, the then DLPO, Penukonda, and present DLPO, Nandyal, is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the order be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Gopal Krishna Dwivedi

Principal Secretary To Government

To
Sri A. Srinivasulu, the then DLPO, Penukonda, Ananthapuramu District and present DLPO, Nandyal, Kurnool District (w.e). through Commissioner, Panchayat Raj & Rural Development, Tadepalli, Guntur (Dt).
The Commissioner, Panchayat Raj & Rural Development, Tadepalli, Guntur (Dt). (with a request to serve the charges to the individual and furnish a

served copy to Govt.,).
SF/SC.

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE -I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI A.SRINIVASULU, THE THEN DIVISIONAL PANCHAYAT OFFICER, PENUKONDA, ANANTHAPURAMU DISTRICT AND PRESENT DIVISIONAL PANCHAYAT OFFICER, NANDYAL, KURNOOL DISTIRCT.

Charge No.1:-

That Sri A. Srinivasulu, the then Divisional Panchayat Officer, Penukonda, Ananthapuramu District and present Divisional Panchayat Officer, Nandyal, Kurnool District, while working as Divisional Panchayat Officer, Penukonda has failed to submit report/ information on 145 unauthorized layouts formed in Hindupur Mandal and 15 in Chilamathur Mandal to the higher authorities from time to time under the provisions of GO Ms. No.67, PR&RD (Pts.IV) Department, Dt. 26.02.2002 although some of the Panchayat Secretaries and the Extension Officers have brought the issue to his notice.

Thus, by his above mentioned acts, has exhibited lack of integrity, has not shown devotion to duty and exhibited conduct which is unbecoming on part of Govt. Servant, in contravention of Rule-3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Charge No.2:-

That Sri A. Srinivasulu, the then Divisional Panchayat Officer, Penukonda, Ananthapuramu District and present Divisional Panchayat Officer, Nandyal, Kurnool District, while working as Divisional Panchayat Officer, Penukonda has failed to submit report for taking action on the responsible executive authorities who allowed 145 unauthorized layouts in Hindupur Mandal and 15 unauthorized layouts in Chilamathur Mandal as per Rule 12 (2) of GO Ms.No.67, PR&RD (Pts.IV) Department, Dt. 26.02.2002. Thus he failed to implement the provisions of the GO Ms. No. 67, PR&RD (Pts.IV) Department, Dt. 26.02.2002.

Thus, by his above mentioned acts, has exhibited lack of integrity, has

not shown devotion to duty and exhibited conduct which is unbecoming on part of Govt. Servant, in contravention of Rule - 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Charge No.3:-

That Sri A. Srinivasulu, the then Divisional Panchayat Officer, Penukonda, Ananthapuramu District and present Divisional Panchayat Officer, Nandyal, Kurnool District, while working as Divisional Panchayat Officer, Penukonda has failed to issue instructions to his subordinates for identifying the non available lay out owners and take proper necessary follow up action in-respect of un-authorised layouts.

Thus, by his above mentioned acts, has exhibited lack of integrity, has not shown devotion to duty and exhibited conduct which is unbecoming on part of Govt. Servant, in contravention of Rule - 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Charge No. 4:

That Sri A. Srinivasulu, the then Divisional Panchayat Officer, Penukonda, Ananthapuramu District and present Divisional Panchayat Officer, Nandyal, Kurnool District, while working as Divisional Panchayat Officer, Penukonda has not taken any proper steps to prevent the transactions in respect of sales of plots and registrations of plots, from his joining as Divisional Panchayat Officer, Penukonda, Ananthapuramu District i.e., 01.07.2013 to 22.06.2015 i.e. until the orders were issued by the District Collector, Anathapuramu on 22.06.2015. Thereby caused loss to Government by way of losing the 10% common space or equivalent value and other fees.

Thus, by his above mentioned acts, has exhibited lack of integrity, has not shown devotion to duty and exhibited conduct which is unbecoming on part of a Govt. Servant, in contravention of Rule - 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Charge No.5:

That Sri A. Srinivasulu, the then Divisional Panchayat Officer, Penukonda, Ananthapuramu District and present Divisional Panchayat Officer, Nandyal, Kurnool District, while working as Divisional Panchayat Officer, Penukonda, has failed to monitor the Panchayat Secretaries, although certain Panchayat secretaries have not issued notices to some of the unauthorized layout owners and not observed that follow up action regarding the unauthorized layouts for which notices were given by the Panchayat Secretaries. Thereby caused loss by way of non-registration of 10% common space and other fees to the Government.

Thus, by his above mentioned acts, has exhibited lack of integrity, has not shown devotion to duty and exhibited conduct which is unbecoming on part of Govt. Servant, in contravention of Rule-3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Charge No.6 :

That Sri A. Srinivasulu, the then Divisional Panchayat Officer, Penukonda, Ananthapuramu District and present Divisional Panchayat Officer, Nandyal, Kurnool District, while working as Divisional Panchayat Officer, Penukonda, has failed to take necessary action as per Rule 12 (1) (b) on unauthorized layouts and spend time without taking proper action on the unauthorized layouts, stating that he is waiting for necessary instructions from the higher authorities even though the power of taking action was vested with the officers along with the District Panchayat Officer. Thereby caused loss by way of non-registration of 10% common space and other fees to the Government.

Thus, by his above mentioned acts, has exhibited lack of integrity, has not shown devotion to duty and exhibited conduct which is unbecoming on part of Govt. Servant, in contravention of Rule-3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Charge No.7:-

That Sri A. Srinivasulu, the then Divisional Panchayat Officer, Penukonda, Ananthapuramu District and present Divisional Panchayat Officer, Nandyal, Kurnool District, while working as Divisional Panchayat Officer, Penukonda, has failed to guide the concerned Panchayat Secretary for the necessary action to be taken against the realtor who refused to take notice and also failed to take the issue to the higher authorities as per the provisional of GO Ms. No.67, PR&RD (Pts.IV) Department, Dt. 26.02.2002.

Thus, by his above mentioned acts, has exhibited lack of integrity, has not shown devotion to duty and exhibited conduct which is unbecoming on part of a Govt. Servant, in contravention of Rule - 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Charge No.8:-

That Sri A.Srinivasulu, the then Divisional Panchayat Officer, Penukonda, Ananthapuramu District and present Divisional Panchayat Officer, Nandyal, Kurnool District, while working as Divisional Panchayat Officer, Penukonda, has not taken any result oriented action and also not put effort to produce results by his acts in arresting/ removing the un-authorized layouts, but limited to nominal paper correspondence with the Extension officers (PR&RD) only, which has no fruitful outcome. Also failed to supervise the Extension officer (PR&RD)s.

Thus, by his above mentioned acts, has exhibited lack of integrity, has not shown devotion to duty and exhibited conduct which is unbecoming on part of Govt. Servant, in contravention of Rule-3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

ANNEXURE - II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF ARTICLES OF CHARGE FRAMED AGAINST SRI A.SRINIVASULU, THE THEN DIVISIONAL PANCHAYAT OFFICER, PENUKONDA, ANANTHAPURAMU DISTRICT AND PRESENT DIVISIONAL PANCHAYAT OFFICER, NANDYAL, KURNOOL DISTIRCT.

While enclosing the petition of Sri Nandamuri Balakrishna, Hon'ble M.L.A, Hindupur Assembly Constituency, the Chief Ministers Office has requested the V&E department to inquire into the allegations regarding realtors and corrupt officials forming illegal layouts and cheating public in Hindupur Constituency. Accordingly, the V&E department conducted an inquiry. The Vigilance and Enforcement Officials have conducted Inquiry and furnished report vide Vigilance Report No. 35 (C. No. 49/V&E/D2/2016, Dt. 08.05.2017 and Government have instructed to take action against the officials responsible for their irregularities shown in the abstract of recommendations of the DG (V&E)Report:

1) As per the findings during inquiry, 145 illegal layouts were noticed in Hindupur mandal and among them 121 illegal layouts are in Kirikera GP, Hindupur mandal only. The details of the Layouts are enclosed to the Vigilance Report.
2) During random verification, it is noticed that majority of the Panchayat Secretaries & EORDs including DLPOs in the district have not taken proper action against the illegal layouts.
3) Some of the Panchayat officers & EORDs served notices to the illegal layout developers of unauthorized layouts. But no further action was initiated against the unauthorized layouts i.e. stopping of registration, arresting / removing of unauthorized layouts as per Section 13(2) of G.O.67(L&B Rules 2002& 2007).
4) Some of the officers have not served even a single notice and no action was initiated against the illegal layout developers.
5) It is noticed that the officials mentioned above, knowing the facts of illegal layouts, did not submit any report to the District Collector, Ananthapuramu to stop the registrations of illegal layouts.
6) The DLPO has not submitted even a single letter to the Commissioner of Panchayat Raj/ District Collector, Ananthapuramu, even after the issues were brought-up by some of the Panchayat Secretaries & EORDs.
7) The Executive Authority of Panchayat Raj shall be

responsible for Identifying and arresting such unauthorized layouts as per Section 13(2) of AP Layouts & Building Rules in G.O.Ms.No.67 and he also has powers to take action against the developers who rejected the notices and may also inform the same to the higher authorities.

In view of the said vigilance report, Sri A.Srinivasulu, the then Divisional Panchayat Officer, Penukonda, Ananthapuramu District and present Divisional Panchayat Officer, Nandyal, Kurnool District, while working as Divisional Panchayat Officer, Penukonda failed to submit report on 145 unauthorized layouts formed in Hindupur Mandal and 15 in Chilamathur Mandal to the higher authorities from time to time as per Rule 13 (2) of GO Ms.No.67, PR&RD (Pts.IV) Department, Dt. 26.02.2002 as the then Panchayat Secretary, Manesamudram has submitted statement that he submitted the details of the unauthorized layouts to the Divisional Panchayat Officer and also to the District Panchayat Officer.

2.

i) Sri Prem Kumar, the then PS, Thumukuru & Kaggallu has failed to issue notices to 7 UN-Authorized Layouts and failed to take follow up action in-respect of 6 unauthorized layouts for which the notices served.

ii. Sri N.Adinarayana, the then Panchayat Secretary, Manesamudram Gram Panchayat, Hindupur Mandal has failed to prevent the un-authorized layout formed during his tenure of work in Manesamudram Gram Panchayat. He has not taken any follow up action for demolition of the unauthorized layout as per the provision under Section 12 (1) (b) of GO Ms. No. 67,PR&RD (Pts.IV) Department, Dt. 26.02.2002, except issue of notice to one developer of unauthorized layout and failed to identify the unauthorized layouts in his Gram Panchayat and also failed to report about the un-authorized layouts to the higher authorities.

iii. Sri B.Aswarthappa, the then Panchayat Secretary, Thumukunta Gram Panchayat, Hindupur Mandal and present Administrative Officer, Zilla Praja Parishad, Ananthapuramu District while working as Panchayat Secretary, Thumukunta Gram Panchayat, Hindupur Mandal has not issued notice in-respect of 4 UN-authorized layouts and also failed to serve notice to the owner of the One (1) un-authorized layout, although he knows his address & Simply stated that he rejected the notice. Further not taken any action for demolition of the unauthorized layout as per the provision under Section 12 (1) (b) of GO Ms. No. 67, PR&RD (Pts.IV) Department, Dt. 26.02.2002, has issued

notices to 5 (as per his statement) layouts and failed to take follow up action for demolition of the unauthorized layout as per the provision under Section 12 (1) (b) of GO Ms. No. 67, PR&RD (Pts.IV) Department, Dt. 26.02.2002, has failed to report about the um-authorised layouts to the higher authorities, has failed to take necessary action against the realtor who rejected the notice given by him for formation of unauthorized layout.

iv. Sri G.Sivanna, the then E.O. (PR&RD), Hindupur Mandal has failed to issue instructions to his subordinates for identifying the non available lay out owners and take proper necessary follow up action in-respect of unauthorized layouts as per the provision under Section 12 (1) (b) of GO.Ms.No.67, PR&RD (Pts.IV) Department, Dt. 26.02.2002, has not taken any proper steps to prevent the registrations from his joining i.e., 17.07.2012 to 22.06.2015 i.e. until orders issued by the District Collector, Ananthapuramu on 22.06.2015, has failed to monitor the Panchayat Secretaries although certain Panchayat secretaries have not issued notices to some of the unauthorized layout owners and not observed that follow up action regarding the unauthorized layouts for which notices were given by the Panchayat Secretaries. Hence failed to implement the provision under Section 12 (1) (b) of GO Ms. No.67, PR&RD (Pts.IV) Department, Dt. 26.02.2002, has failed to prevent formation of 3 unauthorized layouts formed during his work period and thereby not followed/ acted as per Rule 31 of GO.Ms.No.67, PR&RD (Pts.IV) Department, Dt. 26.02.2002.

Sri A.Srinivasulu, the then Divisional Panchayat Officer, Penukonda, Ananthapuramu District and present Divisional Panchayat Officer, Nandyal, Kurnool District, while working as Divisional Panchayat Officer, Penukonda has failed to submit report for taking action on the above responsible executive authorities who allowed the unauthorized layouts as per Rule 12 (2) of GO Ms.No.67, PR&RD (Pts.IV) Department, Dt. 26.02.2002. Thus he failed to implement the provisions of the GO Ms. No. 67, PR&RD (Pts.IV) Department, Dt.26.02.2002.

3. Sri G.Sivanna, the then E.O. (PR&RD), Hindupur Mandal and present E.O. (PR&RD), Lepakshi Mandal, Ananthapuramu District, while working as E.O. (PR&RD), Hindupur Mandal, in his statement has stated that the un-authorized layouts in kirikera Gram Panchayat have been demolished in presence of the then DPO and DIPO. But failed to take the same action on the other unauthorized layouts existed in other Gram Panchayats. Further

stated that, the addresses of some unauthorised layout owners are not known and hence notices were not served.

As per above statement, Sri A.Srinivasulu, the then Divisional Panchayat Officer, Penukonda, Ananthapuramu District and present Divisional Panchayat Officer, Nandyal, Kurnool District, while working as Divisional Panchayat Officer, Penukonda failed to take the same action on the other unauthorized layouts existed in other Gram Panchayats and also failed to issue instructions to his subordinates for identifying the non available lay out owners and take proper necessary follow up action in-respect of un-authorized layouts, has not taken any proper steps to prevent the transactions in respect of sales of plots from his joining as Divisional Panchayat Officer, Penukonda, Ananthapuramu District i.e., 01.07.2013 to 22.06.2015 ie. Until the orders were issued by the District Collector, Ananthapuramu on 22.06.2015, has failed to monitor the Panchayat Secretaries although certain Panchayat secretaries have not issued notices to some of the unauthorized layout owners and not observed that follow up action regarding the unauthorized layouts for which notices were given by the Panchayat Secretaries as per the sated details under point No.2 of above.

4. Sri A. Srinivasulu, the then Divisional Panchayat Officer, Penukonda, Ananthapuramu District and present Divisional Panchayat Officer, Nandyal, Kurnool District, while working as Divisional Panchayat Officer, Penukonda, has not taken any single step on illegal layouts as per Rule 12 of GO Ms. No. 67, failed to take necessary action as per Rule 12 (1) (b) on unauthorized layouts and spend time without taking proper action on the unauthorized layouts, stating that he is waiting for necessary instructions from the higher authorities even though the power of taking action was vested with the officers along with the District Panchayat Officer. Further he has not taken any result oriented action and also not put effort to produce results by his acts in arresting/ removing the Un-authorised layouts, but limited to nominal paper correspondence with the Extension officer (PR&RD)s only, which has no fruitful outcome. He failed in controlling and supervision of

Panchayat Secretaries and Extension Officers (PR&RD)s.

By the above mentioned acts/ facts, Sri A.Srinivasulu, the then Divisional Panchayat Officer, Penukonda, Ananthapuramu District and present Divisional Panchayat Officer, Nandyal, Kurnool District, while working as Divisional Panchayat Officer, Penukonda has clearly established slack supervision, has not shown devotion to duty and exhibited conduct which is unbecoming on part of a Govt. Servant, in contravention of Rule - 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964. Hence the Charge.

ANNEXURE III

LIST OF DICUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED AGAINST SRI A. SRINIVASULU, THE THEN DIVISIONAL PANCHAYAT OFFICER, PENUKONDA, ANANTHAPURAMU DISTRICT AND PRESENT DIVISIONAL PANCHAYAT OFFICER, NANDYAL, KURNOOL DISTRICT ARE PROPOSED TO BE SUSTAINED.

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1. Vigilance Report No. 35 (C.No.49/V&E/D2/2016), Dt. 08.05.2017.
2. Government Memo No. 5345/VIG/A2/2017-1, Dt. 08.08.2017.

ANNEXURE- IV

LIST OF WITNESSES BY WHOM ARTICLES OF CHARGES FRAMED AGAINST SRI A. SRINIVASULU, THE THEN DIVISIONAL PANCHAYAT OFFICER, PENUKONDA, ANANTHAPURAMU DISTRICT AND PRESENT DIVISIONAL PANCHAYAT OFFICER, NANDYAL, KURNOOL DISTRICT ARE PROPOSED TO BE SUSTAINED.

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